MEETINGS TO DATE 4 NO. OF REGULARS 3 NO. OF SPECIALS 1

LANCASTER, NEW YORK FEBRUARY 25, 1985

A Special Meeting of the Town Board and the Planning Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 25th day of February 1985 at 6:45 o'clock P.M. and there were

PRESENT:

STANLEY JAY KEYSA, SUPERVISOR

RONALD R. CZAPLA, COUNCILMAN

ROBERT H. GIZA, COUNCILMAN

DONALD E. KWAK, COUNCILMAN

JOHN T. MILLER, COUNCILMAN

DONNA STEMPNIAK, PLANNING BOARD CHAIRMAN

GEORGE O'NEIL, PLANNING BOARD MEMBER

JOHANNA COLEMAN, PLANNING BOARD MEMBER

MILDRED WHITTAKER, PLANNING BOARD MEMBER

BRIAN A. J. FAHEY, PLANNING BOARD MEMBER

ALSO PRESENT:

ROBERT P. THILL, TOWN CLERK

DOMINIC J. TERRANOVA, TOWN ATTORNEY

RICHARD J. SHERWOOD, DEPUTY TOWN ATTORNEY

ROBERT L. LANEY, BUILDING INSPECTOR

#### PURPOSE OF MEETING - A MUNICIPAL REVIEW UNDER SEQR

A joint meeting between the Town Board and the Planning Board of the Town of Lancaster was held to discuss the following matter:

The environmental considerations and impact of the proposed rezone petition of Red Roof Inns for property located on the east side of Transit Road and the south side of Maple Drive, within the Town of Lancaster, which is an unlisted action under SEQRA.

The Supervisor, with the other Town Board members and Planning Board members, reviewed the "EAF Environmental Assessment - Part II, Project Impacts and Their Magnitude" and executed said document for this project.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN MILLER, TO WIT:

# IN THE MATTER OF THE SEQRA REVIEW OF THE REZONE PETITION OF RED ROOF INNS

RESOLVED, that the following Negative Declaration be adopted:

# NOTICE OF DETERMINATION NEGATIVE DECLARATION

PLEASE TAKE NOTICE, that the Town of Lancaster has reviewed the following described project, which is an unlisted action, through its designated Municipal Review Committee, and that committee has found no significant environmental impact and now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law, pursuant to Section 617.7 SEQRA.

#### NAME AND ADDRESS OF AGENCY:

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Richard J. Sherwood, Deputy Town Attorney
(716) 684-3342

#### NATURE, EXTENT AND LOCATION OF ACTION:

The proposed project is the rezone and development of a present C-1 and R1 area to a C-2 and C-1 zoning classification for purposes of construction of a 110 room motel/inn.

#### **REASONS SUPPORTING DETERMINATION:**

The Town of Lancaster, through review of the Municipal Review Committee, which is made up of the Town Board of the Town of Lancaster, together with at least three (3) members of the Town of Lancaster Planning Board, has found no adverse effects on to or arising from the following:

- existing air quality, surface or ground water quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding prblems.
- historic, archeological, visual or aesthetic or other natural or cultural resources; agricultural districts, or community or neighborhood character.
- 3) vegetation or fauna, movement of fish or wildlife species, significant habitats, or threatened or endangered species.
- 4) the Town's existing plans or goals for development, or a change in use or intensity of use of land or other natural resources.
- 5) growth, subsequent development, or related activities likely to be induced by the proposed action.
- 6) secondary, cumulative or other effects not identified in 1-5.

7) a change in use of either quantity or type of energy.

Signed sX

Stanley Jay Keysa, Supervisor

1 1

Town of Lancaster

The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES
PLANNING BOARD CHAIRMAN STEMPNIAK	VOTED	YES
PLANNING BOARD MEMBER O'NEIL	VOTED	YES
PLANNING BOARD MEMBER COLEMAN	VOTED	YES
PLANNING BOARD MEMBER COLEMAN	VOTED	YES
PLANNING BOARD MEMBER WHITTAKER	VOTED	YES
PLANNING BOARD MEMBER FAHEY	VOTED	YES

The Notice of Determination was thereupon unanimously adopted.

February 25, 1985

ON MOTION MADE AND SECONDED, the meeting was adjourned at 7:15 P.M.

igned <u>/u</u>

Robert P. Thill, Town Clerk

MEETINGS TO DATE 5 NO. OF REGULARS 4 NO. OF SPECIALS 1

LANCASTER, NEW YORK FEBRUARY 25, 1985

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 25th day of February 1985, at 8:00 P.M., and there were

PRESENT:

STANLEY JAY KEYSA, SUPERVISOR RONALD A. CZAPLA, COUNCILMAN ROBERT H. GIZA, COUNCILMAN DONALD E. KWAK, COUNCILMAN

JOHN T. MILLER, COUNCILMAN

ABSENT:

NONE

ALSO PRESENT:

ROBERT P. THILL, TOWN CLERK

DOMINIC J. TERRANOVA, TOWN ATTORNEY

RICHARD J. SHERWOOD, DEPUTY TOWN ATTORNEY

ROBERT LABENSKI, TOWN ENGINEER

ROBERT L. LANEY, BUILDING INSPECTOR

#### PUBLIC HEARINGS:

None

#### BID OPENING SCHEDULED FOR 8:10 P.M.:

At 8:15 P.M., the Town Board considered sealed proposals for furnishing to the Town of Lancaster's Recreation Department arts and crafts supplies.

ON MOTION BY COUNCILMAN KWAK, AND SECONDED BY COUNCILMAN GIZA AND CARRIED, by unanimous voice vote the time for receiving the aforesaid proposals was closed at 8:20 P.M.

Affidavits of Publication and Posting of a Notice to Bidders were presented and ordered placed on file.

Proposals were received from the following bidders:

J & A Handy-Crafts Inc. 210 Front Street Hempstead, N.Y. 11550

S & S Arts and Crafts Colchester, CT 06415

Creative Crafts Essex Industrial Park Centerbrook, CT 06459 ON MOTION BY COUNCILMAN KWAK, AND SECONDED BY COUNCIMAN GIZA AND CARRIED, by unanimous voice vote, the aforesaid proposals were turned over to the Recreation Director for examination, tabulation and recommendation.

#### BID OPENING SCHEDULED FOR 8:20 P.M.:

At 8:20 P.M., the Town Board considered sealed proposals for furnishing to the Town of Lancaster's Recreation Department sporting and athletic equipment.

ON MOTION BY COUNCILMAN KWAK, AND SECONDED BY COUNCILMAN MILLER AND CARRIED, by unanimous voice vote, the time for receiving the aforesaid proposals was closed a 8:20 P.M.

Affidavits of Publication and Posting of a Notice to Bidders were presented and ordered placed on file.

Proposals were received from the following bidders:

Laux Sporting Goods, Inc. 25 Pineview Drive N. Tonawanda, N.Y. 14120

Patchogue surgical Co. Inc. 199 Main Street Sayville, N.Y. 11787

U.S. Games Inc. Box 360874 1511 N. Habor City Blvd. Melbourne, FL 32936-0874

Dekdebrun Sporting Goods Northtown Plaza Eggertsville, N.Y. 14226 Ruby's Sporting Goods Store, Inc. 853-857 Clinton Ave. S. Rochester, N.Y. 14620

Jim Ludtka sporting Goods, Inc. 3383 Harlem Road Cheektowaga, N.Y. 14225

Sportmaster
P.O. Box 9060
Pittsburgh, PA 15224

Four Seasons Sports, Inc. 2265 Geo. Urban Boulevard Depew, N.Y. 14043

ON MOTION BY COUNCILMAN MILLER, AND SECONDED BY COUNCIMAN CZAPLA AND CARRIED, by unanimous voice vote, the aforesaid proposals were turned over to the Recreation Director for examination, tabulation and recommendation.

#### BID OPENING SCHEDULED FOR 8:30 P.M.:

At 8:30 P.M., the Town Board considered sealed proposals for furnishing to the Town of Lancaster's Recreation Department one (1) diamond conditioner.

ON MOTION BY COUNCILMAN KWAK, AND SECONDED BY COUNCILMAN MILLER AND CARRIED, by unanimous voice vote, the time for receiving the aforesaid proposals was closed a 8:30 P.M.

Affidavits of Publication and Posting of a Notice to Bidders were presented and ordered placed on file.

A proposal was received from the following bidder:

S.V. Moffett Co., Inc. Thruway Park Drive West Henrietta, N.Y. 14586

ON MOTION BY COUNCILMAN KWAK, AND SECONDED BY COUNCIMAN MILLER AND CARRIED, by unanimous voice vote, the aforesaid proposals were turned over to the Recreation Director for examination, tabulation and recommendation.

#### BID OPENING SCHEDULED FOR 8:40 P.M.:

At 8:40 P.M., the Town Board considered sealed proposals for furnishing to the Town of Lancaster trees for the 1985 Tree Planting Program.

ON MOTION BY COUNCILMAN GIZA, AND SECONDED BY COUNCILMAN CZAPLA AND CARRIED, by unanimous voice vote, the time for receiving the aforesaid proposals was closed a 8:40 P.M.

Affidavits of Publication and Posting of a Notice to Bidders were presented and ordered placed on file.

Proposals were received from the following bidders:

Domes Tree Farm & Garden Center, Inc. Route 39 Bliss, N.Y. 14024

Gleason's Nursery 4780 Sheridan Drive Williamsville, N.Y. 14221

Birch Grove Landscaping & Nursery Inc. P.O. Box 1117
East Aurora, N.Y. 14052

ON MOTION BY COUNCILMAN GIZA, AND SECONDED BY COUNCIMAN MILLER AND CARRIED, by unanimous voice vote, the aforesaid proposals were turned over to the Chairman, Tree Planting Committee of the Town Board for examination, tabulation and recommendation.

#### BID OPENING SCHEDULED FOR 8:50 P.M.:

At 8:50 P.M., the Town Board considered sealed proposals for furnishing to the Town of Lancaster a refuse dumping site.

ON MOTION BY COUNCILMAN MILLER, AND SECONDED BY COUNCILMAN KWAK AND CARRIED, by unanimous voice vote, the time for receiving the aforesaid proposals was closed a 8:50 P.M.

Affidavits of Publication and Posting of a Notice to Bidders were presented and ordered placed on file.

Proposals were received from the following bidders:

Lancaster Sanitary Land Fill, Inc. 2255 Bailey Avenue Buffalo, N.Y. 14211-0120

B.F.I. Waste Systems 2321 Kenmore Avenue, Box 9 Kenmore, N.Y. 14217

C.I.D. Refuse Box 150 Hamburg, N.Y. 14075 14221

ON MOTION BY COUNCILMAN MILLER, AND SECONDED BY COUNCIMAN KWAK AND CARRIED, by unanimous voice vote, the aforesaid proposals were turned over to the Highway Superintendent and the Solid Waste Committee of the Town Board for examination, tabulation and recommendation.

OFFICIAL REPORTS:

None

COMMITTEE REPORTS - ACTIONS AND DIRECTIVES:

None

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN CZAPLA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GIZA , TO WIT:

RESOLVED, that the minutes from the meeting of February 4, 1985, as presented by the Town Clerk, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN MILLER , TO WIT:

WHEREAS, RED ROOF INNS, INC., 4355 Davidson Road, Hillard, Ohio, the contract vendee of a parcel of land at 6635 Transit Road, Town of Lancaster, which property is located on the east side of Transit Road at the intersection of Maple Drive at Transit Road south of the New York State Thruway, extending easterly to a depth of approximately 884 ft. + along Maple Drive, has petitioned the Town Board of the Town of Lancaster for the rezone of said property as follows:

Parcel "A" - From a C1-Local Retail Business District and R1-Single Family Residence District to a C2-General Commercial District; and

Parcel "B" - From an R1-Single Family Residence District to a C1-Local Retail Business District, and

WHEREAS, the petition has been referred to the Planning Board of the Town of Lancaster for its recommendation and report;

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Sections 130 and 265 of the Town Law of the State of New York, a public hearing on the proposed rezone will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 11th day of March, 1985, at 8:15 o'clock P.M., Local Time, and that Notice of the time and place of such hearing be published in the Lancaster Bee, a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board and that a copy of such Notice of Hearing be referred to the Erie County Department of Planning and the Towns of Amherst and Cheektowaga, pursuant to \$239(m) of the General Municipal Law, which Notice shall be in form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES COUNCILMAN GIZA VOTED YES COUNCILMAN KWAK VOTED YES COUNCILMAN MILLER VOTED YES SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted. February 25, 1985

# LEGAL NOTICE PUBLIC HEARING TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 25th day of February, 1985, the said Town Board will hold a Public Hearing on the 11th day of March, 1985, at 8:15 o'clock P.M., Local Time at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the following proposed amendments to the Zoning Ordinance and Zoning Map of the Town of Lancaster rezoning the following described real property:

Parcel "A" - From a C1-Local Retail Business District and R1-Single Family Residence District, to a C2-General Commercial District, described as---

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot 12, Section 12, Township 11, Range 6 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the south line of Maple Drive, distance 50.00 feet East from West line of Lot 12 as measured along the said South line of Maple Drive; Thence running easterly and along said Maple Drive, a distance of 254.35 feet to a Point; Thence Southerly at an interior angle of  $98^{\circ}-03$  minutes and parallel with the West line of Lot 12, a distance of 179.00 feet to a Point; Thence Westerly at an interior angle of  $89^{\circ}-24$  minutes a distance of 253.00 feet to a said Point being in the East Right of Way line of Transit Road; Thence northerly at an interior angle of  $90^{\circ}-36$  minutes and parallel with the west line of Lot 12, and along said east line of Transit Road, a distance of 196.22 feet to the Point or place of Beginning, containing 1.12 Acres more or less.

and also the following TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie, and State of New York, being part of Lot 12, Section 12, Township 11, Range 6 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the south line of Maple Drive, distance 304.35 feet east from west line of Lot 12 as measured along the said south line of Maple Drive; Thence running easterly and along said Maple Drive, a distance of 332.00 feet to a point; thence southwesterly at an interior angle of  $66^{\circ}$ -00 minutes, a distance of 286.27 feet to a point; thence southerly at an interior angle of 212°-03 minutes and parallel with the west line of Lot 12, a distance of 257.07 feet to a point; Thence westerly at an interior angle of 89°-24 minutes, a distance of 176.82 feet to a point; Thence northerly at an interior angle of 90°-36 minutes and parallel with the west line of Lot 12, a distance of 544.35 feet to the point or place of beginning containing 2.62 Acres more or less.

and

Parcel "B" - from an R1-Single Family Residence District to a C1-Local Retail Business District, described as --

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie, and State of New York, being part of Lot 12, Section 12, Township 11, Range 6 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the south line of Maple Drive, distance 636.35 feet east from West line of Lot 12 as measured along the said south line of Maple Drive; thence running Easterly and along said Maple Drive, a distance of 298 feet to a point; thence southerly at an interior angle of  $98^{\circ}-03$  minutes and parallel with west line of Lot 12, a distance of 462.66 feet to a point; thence Westerly at an interior angle of  $89^{\circ}-24^{\circ}$  minutes a distance of 447 feet to a point; thence Northerly at an interior angle of  $90^{\circ}$  36' minutes and parallel with the West line of Lot 12, a distance of 257.07 feet to a Point; Thence Northeasterly at an interior angle of  $147^{\circ}-57$  minutes a distance of 286.27 feet to the Point or place of beginning, containing 4.59 Acres, More or Less.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE TOWN OF LANCASTER

BY: ROBERT P. THILL Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN GIZA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN KWAK , TO WIT:

WHEREAS, the Town of Lancaster Ambulance Board, by letter dated February 15, 1985, has recommended the appointment of certain individuals to the Town of Lancaster Volunteer Ambulance Corps,

NOW, THEREFORE, BE IT

RESOLVED, that the following additions be made to the membership of the Town of Lancaster Ambulance Corps:

Peter Firestone 772 Town Line Road Alden, New York 14004 Thomas Kessier 45 Glendale Drive Lancaster, New York 14086

Chester Popiolkowski 44 Robert Drive Lancaster, New York 14086

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

January 25, 1985

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GIZA , TO WIT:

WHEREAS, the Highway Superintendent of the Town of Lancaster, by letter dated January 30, 1985, has requested an increase in the Petty Cash Fund maintained for the highway department, from \$100.00 to \$200.00,

NOW, THEREFORE, BE IT

RESOLVED, that the Highway Superintendent be and is hereby authorized to establish and maintain a Petty Cash Fund in the amount of \$200.00 for the Town Highway Department of the Town of Lancaster in strict accordance with Section 64(a)(a) of the Town Law of the State of New York.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN CZAPLA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN KWAK , TO WIT:

WHEREAS, the Chief of Police, by memorandum dated February 4, 1985, has requested authority to purchase two (2) 1985 Dodge Police Cars, under New York State Office of General Services Contract #P-17314, from Mid-City Dodge, 2185 Walden Avenue, Buffalo, New York 14225, at a cost of \$11,613.00 per vehicle,

NOW, THEREFORE, BE IT

RESOLVED, that the Chief of Police of the Town of Lancaster be and is hereby authorized to purchase, in accordance with the memorandum date February 4, 1985, two (2) Dodge Police Cars from Mid-City Dodge, at a cost of \$11,613.00 per vehicle.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon uanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN MILLER, TO WIT:

WHEREAS, KEITH A. WILKINSON and MARGRETTA M. WILKINSON, 4401 Walden Avenue, Lancaster, New York, have petitioned the Town Board of the Town of Lancaster for the rezone of certain property commonly known as the Bowmansville School, situate on Martha Drive and Genesee Street, Bowmansville, Lancaster, New York, from an RC-Residence Restricted Business District to a C1-Local Retail Business District, and

WHEREAS, the petition has been referred to the Planning Board of the Town of Lancaster for its recommendation and report,

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Sections 130 and 265 of the Town Law of the State of New York, a public hearing on the proposed rezone will be held at the Town Hall, 21 Central Avenue, Lancaster, New York on the 11th day of March, 1985, at 8:45 o'clock P.M., Local Time, and that Notice of the time and place of such hearing be published in the Lancaster Bee, a newspaper of general curculation in said Town, and be posted on the Town Bulletin Board, and that a copy of such Notice of Hearing be referred to the Erie County Department of Planning, pursuant to Section 239(m) of the General Municipal Law, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted. February 25, 1985

#### LEGAL NOTICE

#### PUBLIC HEARING TOWN OF LANCASTER

State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 25th day of February, 1985, the said Town Board will hold a Public Hearing on the 11th day of March, 1985, at 8:45 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the following proposed amendment to the Zoning Ordinance and Zoning Map of the Town of Lancaster, rezoning the following described real property from an RC-Residence Restricted Business District to a C1-Local Retail Business District:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie and State of New York and being part of Lot No. 5, Section 12, Township 11, Range 6 of the Holland Land Company's Survey and bounded and described as follows:

BEGINNING at the point of intersection of the northerly line of Genesee Street extended with the westerly line of Martha Road extended as shown on a Subdivision Map filed in Erie County Clerk's Office under Cover No.1621; thence westerly along the northerly line of Genesee Street 396.7 feet to the intersection of said northerly line of Genesee Street and the easterly line of Subdivision Lot No. 13 as shown on a map filed in Erie County Clerk's Office under Cover No. 1189; thence northerly along the easterly line of said Subdivision Lot No. 13, and Subdivision Lot No. 14 as shown on said last mentioned cover about 231.25 feet to the northeast corner of said Subdivision Lot No. 14, also being the southeast corner of lands described in a release given by Charles E. Beidler to Walter Love and Mattie Belle, his wife, recorded in Erie County Clerk's Office in Liber 3317 of Deeds at Page 301, on October 27, 1942, thence continuing northerly along the easterly line of lands so released 50.6 feet to the northeast corner of premises described in said release; thence westerly along the northerly line of lands so described in said release 279.56 feet to the northwest corner of premises described therein; thence northerly at an interior angle of 90°, 227.9 feet; thence southeasterly at an interior angle of 89°55', 487.52 feet to the southwest corner of Subdivision Lot No. 18, as shown upon said Map filed under Cover No. 1621; thence southeasterly along the southerly line of said Subdivision Lot No. 18, 150 feet to a point in the westerly line of Martha Road; thence southerly along the westerly line of Martha Road and said line continued 55 feet; thence continuing southeasterly along a line drawn at right angles to the northerly line of Genesee Street and in part along the westerly line of Martha Road, as shown on said last mentioned Cover 267.78 feet to the point or place of beginning.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE TOWN OF LANCASTER

BY: ROBERT P. THILL Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN CZAPLA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN KWAK TO WIT:

WHEREAS, the Bowmansville Volunteer Fire Association, inc., by letter dated February 4, 1985, has requested the confirmation of one new member duly elected to the membership of the Bowmansville Volunteer Fire Association, inc. and the deletion of one member from the active roster of the Bowmansville Volunteer Fire Association, inc.,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the addition to the membership and the deletion from the membership of the following individuals in the Bowmansville Volunteer Fire Association, inc.:

#### **ADDITION**

DELETION

Michael Miller 69 Pleasant View Drive Lancaster, New York 14086

Richard Reese, Jr.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN @IZA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN MILLER , TO WIT:

WHEREAS, a vacancy exists on the Board of the Town of Lancaster

Youth Bureau due to the resignation of Christopher Krafchak, and

WHEREAS, the Executive Director of said Board, by letter dated January 28, 1985, has recommended the appointment of JOSEPH MACIEJEWSKI to fill this vacancy,

NOW, THEREFORE, BE IT

RESOLVED, that Joseph Maciejewski, 21 Cadet Circle, Lancaster, New York 14086, be and is hereby appointed a member of the Town of Lancaster Youth Bureau for the period February 25, 1985 to May 31, 1986.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN MILLER , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN CZAPLA , TO WIT:

RESOLVED, that the following amendments to the 1985 Adopted Budget, for the purpose of establishing budgetary accounts, be and hereby are effected:

GENERAL FUND	Acct. No.	Increase	Decrease
Mental Health Contractual Expenses	A4230	\$1,000.00	
Special Items Contingent Account	A1990		\$1,000.00
PART TOWN FUND			
Appropriated Fund Bal. Appropriations	B599 B960	\$1,000.00 1,000.00	
Disaster Preparedness Contractual Expenses	B3670.4	1,000.00	

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN	CZAPLA	VOTED	YES
COUNCILMAN	GIZA	VOTED	YES
COUNCILMAN	KWAK	VOTED	YES
COUNCILMAN	MILLER	VOTED	YES
SUPERVISOR	KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN GIZA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN KWAK , TO WIT:

WHEREAS, SOUTHEAST COMMUNITY WORK CENTER, INC., offers a program for retarded adults in the communities of Lancaster, Alden, Marilla, Elma, East Autora, Aurora and Wales, and

WHEREAS, this program consists of development, pre-vocational and work activities training program for those individuals in the range of mild to severe retardation, and

WHEREAS, the Center is located at 5800 Transit Road, Depew, New York, and its services in the area of evaluation, tutoring, development of self-help skills, personal adjustment training, recreation and counselling would be of substantial benefit to residents of the Town of Lancaster, and

WHEREAS, SOUTHEAST COMMUNITY WORK CENTER, INC., has offered to contract with the Town of Lancaster for the aforementioned services during the year 1985 for the total sum of \$1,000.00,

NOW, THEREFORE, BE IT RESOLVED, as follows:

- 1. That the Town Board of the Town of Lancaster hereby authorizes the Supervisor to execute an Agreement with SOUTHEAST COMMUNITY WORK CENTER, INC., for a program for retarded adults residing in the Town of Lancaster for developmental, pre-vocational and work activities training program for those individuals in the range of mild to severe retardation, and evaluation, tutoring, development of self-help skills, personal adjustment training, recreation and counseling;
- $\underline{2}$ . That the sum of \$1,000.00 be paid in four equal quarterly payments, commencing upon execution of said Agreement and April 1st, July 1st and October 1st, 1985, and
- 3. That funds be transferred from the Contingent Account to the General Fund Account No. 4230 Mental Health, of the 1985 Budget.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN MILLER VOTED YES

The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN MILLER , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN CZAPLA , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered paid from their respective accounts:

ACCOUNT	ORDER NUMBER	TOTAL AMOUNT
General Fund	No. 7506 to 7595 Incl.	\$156,873.13
Part Town Fund	No. 1150 to 1165 incl.	\$ 2,832.34
Highway Fund	No. 2777 to 2820 incl.	\$ 38,883.35
Special District Fund	No. 798 to 801 incl.	\$ 16,190.66
Trust & Agency Fund	No. 858 to 864 Incl.	\$ 28,270.41
Capital Fund	No. 739 to 742 Incl.	\$ 1,889.07
Community Development Fund	No. 1208 to 1209 Incl.	\$ 601.89
Improvement Facilities (Sewer Dist. No. 2)	No. 153 to 153 incl.	\$ 10,340.96
and,		

#### BE IT FURTHER

\$586.20 and Woods WP. and PT. Store for \$15.69 be and are hereby approved and the Supervisor be and is hereby ordered to submit these claims for payment from Community Development Project No. 438313, Sr. Citizens Center.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted. February 25, 1985

THE FOLLOWING RESOLUTION WAS OFFERED, BY COUNCILMAN CZAPLA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GIZA , TO WIT:

RESOLVED, that the following Building Permit Applications be and are hereby approved and the issuance of Building Permits be and are hereby authorized:

NO.	<u>NAME</u>	<u>ADDRESS</u>	STRUCTURE
5	Marrano/Marc Equity	9 Pineview La.	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

Councilman Miller requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN MILLER , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN KWAK , TO WIT:

WHEREAS, the Northeastern Communities Solid Waste Management Board, of which the Town of Lancaster is a voting member, has proposed the expansion of the membership of the said Board to include the Town of Cheektowaga, Village of Depew and Village of Lancaster, each of which community has adopted a resolution authorizing their membership, and

WHEREAS, expansion of said membership to include said communities would materially enhance the ability of said agency to cope with solid waste management in this portion of Erie County;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

- 1. That the Supervisor be and hereby is authorized to execute the Joint Municipal Agreement Expanding the Northeast Communities Solid Waste Management Board to include the Town of Cheektowaga and Villages of Lancaster and Depew.
- 2. That a certified copy of this resolution be furnished by the Supervisor to John Finster, Solid Waste Coordinator, Department of Environment and Planning of the County of Erie.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES COUNCILMAN GIZA VOTED YES COUNCILMAN KWAK VOTED YES COUNCILMAN MILLER VOTED YES SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

Councilman Kwak requested a suspension of the necessary rule for immediate consideration of the following resolution - SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN MILLER TO WIT:

WHEREAS, it is neccesary that the Town Board prepare for a Bond Anticipation Note Sale to be held April 1, 1985, and

WHEREAS, Fox & Company, Certified Public Accountants retained by the Town of Lancaster, have submitted a proposal to assist the Supervisor in preparing and distributing the necessary financial and statistical information required for said sale of Serial Bonds of approximately \$825,000.00, and

WHEREAS, the proper preparation for the sale of Serial Bonds has, in the past, enhanced the ability of the Town to market said Notes at a preferential interest rate and terms;

NOW, THEREFORE, BE IT

RESOLVED, that the proposal of Fox & Company, Certified Public Accountants, to assist the Town of Lancaster in Issuing approximately \$825,000.00 of its Serial Bonds on April 1, 1985, said services to be charged at standard per diem rates, with the total not to exceed \$6,900.00, plus out-of-pocket expenses, be and hereby is accepted.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

#### STATUS REPORT ON UNFINISHED BUSINESS:

- 1. <u>Dumping Permit Philip Antonicelli</u>
  On November 7, 1983, the Town Board requested the Planning Board to retain this item on their agenda for further input from the petitioner.
- 2. <u>Public Improvement Permit Authorization Countryview East Subdivision.</u>

  <u>Phase I (Marrano)</u>

  The retention pond has not yet been accepted but completion is secured by a Letter of Credit expiring on November 1, 1985.
- 3. <u>Public Improvement Permit Authorization Heritage Hills Subdivision</u>
  The Town Board is awaiting maintenance security for P.I.P. No. 65
  (retention pond) prior to acceptance.
- 4. Public Improvement Permit Authorization Lancaster Industrial Commerce Center
  The Town Board authorized issuance of P.I.P.No. 77 (water main) and No. 78 (retention basin) on June 6, 1983.
- 5. Public improvement Permit Authorization Woodview Estates Subdivision The Town Board authorized issuance of P.I.P. No. 57 (sidewalks) and No. 58 (street lighting) which have not yet been accepted by the Town Board. There is no retention pond associated with this subdivision.
- 6. Rezone Petition Red Roof Inns. Inc.
  On February 25, 1985, the Town Board set a public hearing on this petition for March 11, 1985.
- 7. Rezone Petition Keith and Margretta Wilkinson
  On February 25, 1985, the Town Board set a public hearing on this petition for March 11, 1985.
- 8. Road Acceptance Pasquale Drive
  On August I, 1984, the Town Attorney, by letter, notified the developer what steps must be taken to complete dedication of this road as a Town highway.
- 9. <u>Traffic Study Reconstruction. Genesee Street and Ransom Road</u>
  On September 10, 1984 the N.Y.S.D.O.T notified the Town Board that the Fianid Design Report on this project is complete and available.
- 10. <u>Traffic Study Signal, Bowen Road and William Street</u>
  On June 19, 1984, this matter was referred to the Police Chief for investigation and recommendation.
- 11. <u>Traffic Study Speed Reduction, Pavement Road</u>
  On February 6, 1984, this matter was referred to the Police Chief for investigation and recommendation.
- 13. Traffic Study Speed Reduction, Ransom Rd. from Walden to Clarence Line On November 7, 1983, this matter was referred to the Police Chief for Investigation and recommendation.

Joseph Juszczak, 600 Pleasant View Drive, and some of his neighbors, spoke to the Town Board at some length relative to the sanitary sewer presently being constructed in the Pleasant View Drive/Stony Road area under the supervision of Erie County Sewer District No. 4.

Mr. Juszczak and his neighbors expressed the following concerns to the Board:

- 1. They are presently being taxed for the sewer even though it is anticipated that it will not be available for their use for another 18 months.
- The contractors on the project do not employ a flagman and dangerous situations have been observed with machinery moving on and off the highway without direction of a flagman.
- 3. The visibility at the intersection of Stony Road and Pleasant View Drive is obscured by the presence of a portable restroom provided for the use of the reconstruction workers.
- 4. There is a three foot deep hole in front of 591 Pleasant View Drive which has filled with water and is dangerous to the children of the area.

The Supervisor addressed each of these concerns as they were presented to the Town Board and assured Mr. Juszczak and his neighbors that he would bring these matters to the immediate attention of the County Sewer District and request they remedy this situation.

Art Schmidt, 5282 William Street, complained to the Town Board about the drilling of private gas wells on properties in the William Street South Lancaster area.

The Supervisor explained to Mr. Schmidt that the Town Board had previously enacted a Local Law to regulate private gas drillings, however, subsequent to the adoption of the Local Law of the Town of Lancaster, the State of New York enacted legislation which superseded all local laws in the area of private drilling regulations. Local drilling is now supervised by the N.Y.S. Department of Environmental Conservation.

Mr. Schmidt and his neighbors were urged to forward their complaints to the N.Y.S. Department of Environmental Conservation and also to Assemblyman Graber and Senator Volker who have the authority to enact new legislation which could address their concerns in this matter.

## COMMUNICATIONS:

105.	Property Manager to Town Board - Report of Fixed Assets Inventory as of 12/31/84.	R & F
106.	Police Chief to Councilman Czapla - Request Board's authorization to purchase two 1985 police vehicles.	R & F
107.	Town Clerk to Town Board - Resume of actions taken in regards to Town Board meeting held 2/4/85.	R & F
108.	Town Attorney to Town Board - Review and opinion regarding increase in petty cash account of Highway Dept.	R & F
109.	Supervisor to Mrs. Edward E. Walsh - Reply to letter concerning welfare recipients.	R & F
110.	NYSDOT to Supervisor - Notice of action to be taken to alleviate flooding on Transit Rd.	R & F
111.	Supervisor to Chief Gerald Smith - Clarification of role of fire police assistance in traffic control during cheese distribution.	R & F
112.	Building Inspector to Pres., Seacoast Const Expression of gratitude for assistance in extinguishing barn fire on 1/28/85.	R & F
113.	Bowmansville V.F.A. to Town Board - Recommendation of member to active roster.	R & F
114.	Supervisor to Shelgre & Marzec, Architects - Request opportunity to discuss Town Hall restoration estimates.	SUPERVISOR
115.	Supervisor to Town Engineers - Request submittal of proposal for Handicapped Access Project.	SUPERVISOR
116.	County Dept. of Environment and Planning to Supervisor - Indication of availability to buyer of Glendale/Parkdale sewage treatment plant site with exception of sewer easement area.	T/A
117.	N.Y.S. Public Service Comm. to Supervisor - Notice of public hearing to be held in Buffalo on 3/18/85 concerning rate proposals of N.Y. Telephone Co.	R & F
118.	N.Y.S. Public Service Comm. to Supervisor - Notice of public hearing to be held in Buffalo on 4/11/85 concerning rate proposals of N.Y. Telephone Co.	R & F
119.	Planning Board to Town Board - Recommendation of rezone approval at the Bowmansville Elementary School.	R & F
120.	Planning Board to Town Board - Recommendation of rezone approval of Red Roof Inn.	R & F
121.	Town Engineers to Supervisor - Transmittal of plans for Glendale Dr. storm	HIGHWAY COMMITTEE

## COMMUNICATIONS CONT'D.:

## DISPOSITION

122.	Supervisor to Assemblyman Graber - Request legislative changes concerning issuance of gas well drilling permits.	R & F
123.	Supervisor to Residents of Hall and S. Bowen	R & F
	Roads - Comments and suggestions regarding ECSD No. 4, Contract 14L pump stations.	
124.	Supervisor to Sen. Dale Volker - Request legislative changes concerning issuance of gas well drilling permits.	R & F
125.	State Senate Local Government Committee to Supervisor -	SUPERVISOR
	Notice of hearings to be held regarding "Governor's Proposed Aid to Localities Formula - A Critical Examination."	
126.	Thill-Demerly Agency to Supervisor - Disclosure Statement.	R & F
127.	Aurora Middle School Principal to Supervisor - Commendation of various individuals, boards and bureaus for participation in drug awareness program.	COPY TO INDIVIDUALS  R & F
128.	County Off. of Disaster Preparedness to Supervisor -	R & F
	Suggestion of actions to be taken regarding potential flooding.	
129.	Town Attorney to Town Board - Determination regarding Reserve Gas Co. Non-Exclusive Franchise.	T/A
130.	Lancaster Sanitary Land Fill to Town Clerk - Notification that as of 9/30/85 no materials will be accepted.	HIGHWAY SUPERINTENDENT
131.	Weil Resources to Town Clerk - Notice of intent to commence drilling on LaVerne Lorentz property on Aurora St. on 2/11/85.	BUILDING INSPECTOR
132.	Town Clerk to Supervisor - Monthly report for January 1985.	R & F
133.	Town Clerk to Media - Notice of Town Board meetings schedule for February, March and April.	R & F
134.	Town Engineers to N.Y.S. Dept. of State - Request meeting regarding problems of MBE/WBE certification, Sewer Project.	T/A ENGINEERS
135.	Supervisor to Town Board - Recommendation that Disabled American Veterans of Korean Era Memorial Chapter 203 be authorized to voucher for Memorial and Independence Days observances.	T/C FOR RESOLUTION
136.	Supervisor to Town Board - Comments and recommendations concerning proposed Mutual Aid Agreement.	HIGHWAY COMMITTEE
137.	Fox & Co. to Supervisor - Proposal to provide assistance in preparing serial bond disclosure information.	T/C FOR SUSPENDED RESOLUTION

## COMMUNICATIONS CONT'D.:

138.	Youth Board to Town Board - Minutes from meetings held 11/15/84, 12/13/84 and 1/18/85.	R & F
139.	Supervisor to Various Dept. Heads - Directives and transmittal of data relative to company cars.	R & F
140.	Assoc. of Erie County Governments to Supervisor - Notice of meeting to be held at Orchard Park on 2/28/85.	R & F SUPERVISOR
141.	Planning Board to Town Board - Minutes from meeting held 2/6/85.	RεF
142.	Weil Resources to Town Clerk - Notice of intent to commence drilling on Raymond C. Paschke property on Schwartz Rd. on 2/14/85.	BUILDING INSPECTOR
143.	Twin District V.F.C. to Town Board - Notification that on 2/11/85, membership voted to break contract and request re- negotation for new three year contract.	PUBLIC SAFETY COMMITTE SUPERVISOR BUDGET COMMITTEE
144.	Ambulance Board Chair. to Town Board - Recommendation of three new members to LVAC roster.	R &F
145.	Jones Intercable to Town Clerk - Transmittal of notification to subscribers of channel change.	<u> </u>
146.	County Off. of Disaster Preparedness to Supervisor - Notice of seminar to be held 3/28/85 at Amherst dealing with legal issues in emergency management.	SUPERVISOR CHIEF FOWLER BUILDING INSPECTOR
147.	County Off. of Disaster Preparedness to Supervisor - Notice of informational seminar to be held 3/16/85 at ECC North.	
148.	Sr. Citizens Dir. to Supervisor - Request clarification from County regarding Sr. Citizens Building use at Como Park.	
149.	N.Y.S. Dept. of Environmental Conservation to Supervisor - Notice that meeting will be scheduled to discuss MBE-WBE problems.	T/A
150.	Town Clerk to Media - Notice of joint meeting to be held 2/25/85 between the Planning and Town Boards.	RεF
151.	N.Y.S. Dept. of Agriculture and Markets to D.C.O Determination regarding licensing of part wolf dogs.	R & F
152.	Supervisor to Depew Village Electrician - Request information regarding tie in of Depew Library alarm system into Depew municipal system.	R & F PAT EASTON
153.	Recreation Dir. to Town Board - Reply to letters received concerning the arts and crafts bid opening.	R & F

#### Page 111 DISPOSITION

154.	Sen. Volker to NYSDOT Resident Maintenance Engineer -	R & F
	Request remedial action be taken to correct flooding across Transit Rd.	
155.	Donna Stempniak to Town Board - Report on Association of Towns meeting.	RεF
156.		
150.	Supervisor to Cheektowaga Disaster Coordinator -	SUPERVISOR
	Request meeting to establish protocol regarding potential disasters.	
157.	Supervisor to Various Parties -	R &F
	Directives concerning flood watch - 2/22/85.	
158.	Off. of State Comptroller to Supervisor -	R & F
	Report of Town judges for quarter ending	
	12/31/84.	

#### ADJOURNMENT:

ON MOTION OF COUNCILMAN CZAPLA, AND SECONDED BY THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 11:15 P.M. out of respect to:

ROSE BRETT
BERNICE FOWLER
SOPHIE A. KARAN
JOHN L. MOKAN
LOUISE WOJCICKI

Signed

Robert P. Thill, Town Clerk